

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: M. Rigdon Lentz

Serial No.: 09/699,003

Art Unit: 3772

Filed: October 26, 2000

Examiner: P. Bianco

For: *METHOD AND COMPOSITION FOR TREATMENT OF CANCERS*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. § 1.56 and 37 C.F.R. § 1.97, Applicant submits a Supplemental Information Disclosure Statement, including three (3) pages of Form PTO-1449 and copies of twelve (12) documents cited therein. Pursuant to the waiver in the notice entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications Filed After June 30, 2003" published on August 5, 2003 in 1273 OG 55, copies of the U.S. Patents cited below are not enclosed. However, copies will be provided upon request.

This Supplemental Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(c) after a first Office Action on the merits. It is believed that no fee is required with this submission. However, should a fee be required, the Commissioner is hereby authorized to charge any required fees to Deposit Account No. 50-3129.

### **Certification Under 37 C.F.R. §1.97 (e)(2)**

Each item of information listed below this certification in this Supplemental Information Disclosure Statement was not cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, each item listed below was not known to any individual designated in § 1.56(c) more than three months prior to the filing of this Supplemental Information Disclosure Statement.

#### **U.S. Patents**

<u>Number</u>	<u>Issue Date</u>	<u>Patentee</u>	<u>Class/Subclass</u>
5,403,917	04-04-1995	Boos, et al.	530/351
5,597,899	01-28-1997	Banner, et al.	530/351
5,736,138	04-07-1998	Pfizenmaier, et al.	424/143.1
6,262,127	07-17-2001	Acemoglu, et al.	514/772.7
6,774,102	08-10-2004	Bell, et al.	514/2
7,105,484	09-12-2006	Klein, et al.	514/12
7,368,295	05-06-2008	Tovar, et al.	436/526

#### **U.S. Published Applications**

<u>Number</u>	<u>Publication Date</u>	<u>Applicant</u>	<u>Class/Subclass</u>
2007/0065514	03-22-2007	Howell, et al.	424/489
2008/0075690	03-27-2008	Howell, et al.	424/85.1
2008/0275376	11-06-2008	Howell, et al.	604/5.04

#### **Foreign Documents**

<u>Number</u>	<u>Publication Date</u>	<u>Patentee</u>	<u>Country</u>
289896	07-08-1992	Terumo Kabushiki Kaisha and Hematogenetics Corp.	EP
334165	12-27-1995	Hoffman La Roche	EP
787500	12-01-1999	Bellco Spa	EP
589982	01-17-2001	Boehringer Ingelheim International	EP

U.S.S.N.: 09/699,003  
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WO 90/009798	09-07-1990	Immunotherapeutics, Inc.	PCT
WO 93/012142	06-24-1993	Tanox Biosystems, Inc.	PCT
WO 94/009137	04-28-1994	Genetech, Inc.	PCT
WO 94/026924	11-24-1994	Ministero Dell'Universita E Della Ricerca Scientifica E Technologica	PCT
WO 05/037865	04-28-2005	Zymogenetics, Inc.	PCT
WO 06/002151	01-05-2006	Hemo-life Medical, Inc.	PCT
WO 08/115597	09-25-2008	Cytologic, Inc.	PCT

### Publications

RIVAS, et al., "Expression of granulocyte-macrophage colony-stimulating factor receptors in human prostate cancer", *Blood*, 91:1037-47 (1998).

### Remarks

This statement should not be interpreted as a representation that an exhaustive search has been conducted or that no better art exists. Moreover, Applicant invites the Examiner to make an independent evaluation of the cited art to determine its relevance to the subject matter of the present application. Applicant is of the opinion that his claims patentably distinguish over the art referred to herein, either alone or in combination.

Respectfully submitted,

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